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Patent



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Boreham, et al. )

Serial No. 09/867,594 )

Filing Date: May 29, 2001 )

For: METHOD AND SYSTEM FOR )  
DETERMINING A ENTRY'S )  
CLASS OF SERVICE BY )  
POINTING TO A SINGLE )  
TEMPLATE )

Examiner: Lu, Kuen S.

Art Unit: 2177

**RECEIVED**

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Technology Center 2100

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE  
DOUBLE PATENTING REJECTION (37 CFR § 1.321(c))

Dear Sir:

1. Name of Assignee: SUN MICROSYSTEMS, Inc.  
Address of Assignee: 901 San Antonio Road  
Palo Alto, California 94303

Terminal Disclaimer  
Examiner: Lu, Kuen S.

-1-

Serial No. 09/867,594  
Group Art Unit: 2177

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2. The Assignee certifies to the best of Assignee's knowledge and belief that Assignee has the entire right, title, and whole interest in and to the above referenced patent application, and represents that the undersigned is authorized to sign on behalf of the above-referenced Assignee.

3. On information and belief, a copy of an assignment or other documents that evidences placement of title of the above-referenced Application in the Assignee is recorded with the United States Patent and Trademark Office at:

Reel: 011881  
Frame: 0798  
Recorded on: May 29, 2001

A certificate under 37 CFR 3.73(b) is filed herewith regarding the above and establishing the right of the Assignee to take action in the above referenced patent application.

#### 4. Disclaimer

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shorted by any terminal disclaimer, of the co-pending United States Patent Application No. 09/867,595 forming the basis of the double patenting rejection is hereby disclaimed except as provided below, and it is agreed that any patent so granted

on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to co-pending United States Patent Application No. 09/867,595; this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the co-pending United States Patent Application No. 09/867,595 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued in any matter or is terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

5. Fee Payment.

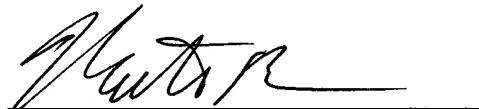
Payment is enclosed. Authorization is given to take any additional fee payment due under 37 CFR §1.20(d) from our Deposit Account: 23-0085. The attorney of record is empowered to sign on behalf of Assignee.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Dated: 27 Jan 2004



Matthew J. Blecher  
Registration No. 46,558

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San Jose, CA 95113  
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CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: Boreham et al.

Application No.: 09/867,594 Filed: May 29, 2001

For: METHOD AND SYSTEM FOR DETERMINING A ENTRY'S CLASS OF SERVICE  
BY POINTING TO A SINGLE TEMPLATE

Sun Microsystems, Inc., a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent  
application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified  
above. The assignment was recorded in the Patent and Trademark Office at  
Reel 011881, Frame 0798, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s) of the patent application identified  
above, to the current Assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
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3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent  
application identified above and, to the best of undersigned's knowledge and belief,  
title is in the Assignee identified above.

Terminal Disclaimer  
Examiner: Lu, Kuen S.

Serial No. 09/867,594  
Group Art Unit: 2177

The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name: Matthew J. Blecher

Title: Attorney

Signature: 

Date: 27 Jun 2004